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U.S. Special Operations Forces (SOF): Background and Issues for Congress

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Summary

Special Operations Forces (SOF) play a significant role in U.S. military operations and the Administration has given U.S. SOF forces greater responsibility for planning and conducting worldwide counterterrorism operations. The 9/11 Commission's recommendation that Central Intelligence Agency (CIA) paramilitary clandestine and covert operations should become the responsibility the U.S. Special Operations Command has been included in both versions of House and Senate intelligence reform legislation. This report will be updated as events warrant.

Background

Overview. Special Operations Forces (SOF) are small, elite military units with special training and equipment that can infiltrate into hostile territory through land, sea, or air to conduct a variety of operations, many of them classified. SOF personnel undergo rigorous selection and lengthy, specialized training. U.S. SOF units total roughly 34,000 active and about 15,000 reserve personnel in the Army, Navy, Marine Corps, and Air Force, or about 2% of all U.S. active and reserve forces. The U.S. Special Operations Command (USSOCOM) oversees the training, doctrine, and equipping of all U.S. SOF units.

Operations in the Global War on Terror. SOF forces continue to operate in Iraq and Afghanistan where they are actively pursuing former regime leadership targets. Some estimates suggest that about 80 percent of deployed SOF units are currently operating in Iraq and Afghanistan.¹ SOF units operating with Combined Joint Task Force Horn of Africa (CJTF-HOA) are involved in training selected regional armed forces in counterterror and counterinsurgency tactics as well as assisting in the apprehension of terrorists operating in the region. U.S. SOF involvement in the Philippines and in Colombia is strictly limited to training the armed forces of those respective countries in counterterror and counterinsurgency tactics.

¹ Eric Schmitt and Thom Shanker, "Special Warriors Have Growing Ranks and Growing Pains In Taking Key Antiterror Role," *New York Times*, August 2, 2004.

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 28 SEP 2004		2. REPORT TYPE		3. DATES COVERED 00-00-2004 to 00-00-2004	
4. TITLE AND SUBTITLE U.S. Special Operations Forces (SOF): Background and Issues for Congress				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Congressional Research Service, The Library of Congress, 101 Independence Ave SE, Washington, DC, 20540-7500				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT Same as Report (SAR)	18. NUMBER OF PAGES 6	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

SOF Involvement in Prisoner Abuse. According to a press report, the U.S. Navy charged four Sea, Air, and Land (SEAL) team members with a number of charges related to abusing detainees in Iraq between October 2003 and April 2004.² These charges are reportedly linked to a previously reported incident on November 4, 2003 where a detainee in the custody of the Central Intelligence Agency (CIA) died at Abu Ghraib prison.³ On September 25, three more SEAL team members were reportedly also charged with crimes related to the aforementioned incident.⁴

The U.S. Army Criminal Investigate Command has reportedly opened a criminal investigation into the death of an 18-year-old Afghan National Army soldier and the alleged torture of seven other Afghan Army members, who were detained at a forward operating base operated by U.S. Army Special Forces.⁵ The March 2003 incident reportedly occurred at a Special Forces operating base run by the 20th Special Forces Group from Birmingham, Alabama - a National Guard unit that also draws soldiers from Florida and Mississippi.⁶

SOF Enhancements. As a result of Department of Defense (DOD) transformation initiatives and lessons learned in Afghanistan and Iraq, SOF is undergoing a number of enhancements in personnel, organizations, and equipment. During the next three to four years, two additional SEAL teams will be added to the existing five teams; in 2008 the U.S. Army Special Operations Command (USASOC) plans to add 550 special forces soldiers to its active duty Operational Detachment-Alphas (A Teams⁷) and 192 to National Guard A Teams.⁸ The Air Force Special Operations Command (AFSOC) is also planning to add additional combat controller and combat aviation advisor personnel.⁹ U.S. Special Operations Command is also reportedly planning on adding two active duty and two Reserve Civil Affairs (CA) battalions and two active duty Psychological (PSYOPS) companies to SOCOM over the next few years.¹⁰

² Thomas E. Ricks, "Four SEALs Are Charged With Abuse of Prisoners," *Washington Post*, September 4, 2004, p. 4.

³ Ibid.

⁴ Josh White, "3 More Navy SEALs Face Abuse Charges," *Washington Post*, September 25, 2004, p. 16.

⁵ Craig Pyes and Mark Mazzetti, "U.S. Probing Alleged Abuse of Afghans," *Los Angeles Times*, September 21, 2004, p. 1.

⁶ Ibid.

⁷ An A Team consists of twelve multi-skilled Army SOF soldiers and is the basic operating unit for Army Special Forces ("Green Berets").

⁸ Joshua Kucera, "U.S. Boosts Special Forces to Meet Iraqi Challenge," *Jane's Defense Weekly*, February 18, 2004.

⁹ Ibid.

¹⁰ Hearing of the Terrorism Subcommittee of the House Armed Services Committee, FY2005 National Defense Appropriations Act, March 11, 2004, p. 14.

USASOC also plans to form a new MH-47 Chinook battalion and AFSOC plans to convert four C-130H Hercules transport aircraft into AC-130U gun ships.¹¹ AFSOC reportedly anticipates replacing 34 MH-43 Super Stallion heavy lift helicopters with about 50 CV-22 tilt-rotor Osprey aircraft, if those aircraft successfully complete testing, sometime in FY2009.¹²

Authority for Planning Operations. In January 2003, DOD gave USSOCOM greater responsibility for planning and directing worldwide counterterrorism operations. Instead of being primarily a supporting command that provides forces to other regional U.S. combatant commanders, USSOCOM will more often be a supported command capable of planning and conducting operations in its own right.¹³ To facilitate this new authority, USSOCOM reportedly reorganized its headquarters to better conduct collaborative planning with DOD, the Intelligence Community, and various government agencies.¹⁴

Command Structures. Congress in 1986 expressed concern for the status of SOF within overall U.S. defense planning and passed measures to strengthen its position. These actions included the establishment of USSOCOM as a new unified command. USSOCOM is headquartered at MacDill Air Force Base in Tampa, FL. The Commander of USSOCOM is a four-star officer who may be from any service. Commander, USSOCOM reports directly to the Secretary of Defense, although an Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (SO/LIC) provides immediate civilian oversight over many USSOCOM activities.

Army Special Operations Forces.¹⁵ U.S. Army SOF (ARSOF) include 26,000 soldiers from the Active Army, National Guard, and Army Reserve who are organized into Special Forces units, Ranger units, special operations aviation units, civil affairs units, psychological operations units, and special operations support units. ARSOF Headquarters and other resources, such as the John F. Kennedy Special Warfare Center and School, are located at Fort Bragg, NC. Five active Special Forces Groups (Airborne) are stationed at Fort Bragg and at Fort Lewis, WA, Fort Campbell, KY, and Fort Carson, CO. Special Forces soldiers — also known as the Green Berets — are trained in various skills, including foreign languages, that allow teams to operate independently in designated regions of the world. Two Army National Guard SF groups are headquartered in Utah and Alabama. An elite light airborne infantry unit, the 75th Ranger Regiment, is headquartered at Fort Benning, GA and consists of three battalions specializing in direct

¹¹ Joshua Kucera, op.cit.

¹² Ibid.

¹³ Jefferson Morris, "SOCOM Changing From 'Supporting' To 'Supported' Command, Official Says," *Aerospace Daily*, April 2, 2003; Rowan Scarborough, "'Special Ops' Gets OK To Initiate Its Own Missions," *Washington Times*, January 8, 2003, p. 8; Rowan Scarborough, "Rumsfeld Bolsters Special Forces," *Washington Times*, January 6, 2003, p. 1.

¹⁴ Harold Kennedy, "SOCOM Creates New Hub for Fighting War on Terror," *National Defense*, February 2004.

¹⁵ Information in this section was taken from General Bryan Brown, "U.S. Army Special Operations: Focusing on People — Humans are More Important than Hardware," *Army*, October 2001, pp. 157-162.

action operations. Army special operations aviation units, including the 160th Special Operations Aviation Regiment (Airborne) at Fort Campbell, KY, feature pilots trained to fly the most sophisticated Army rotary-wing aircraft in the harshest environments, day or night and in adverse weather.

The most frequently deployed SOF assets are civil affairs (CA) units, which provide experts in every area of civil government to help administer civilian affairs in the theater. The 96th Civil Affairs Battalion (Airborne) is the only active CA unit; all other CA units reside in four Army Reserve Civil Affairs Commands located in Pensacola, FL, Mountain View, CA, Riverdale, MD, and Bronx, NY. Psychological operations units disseminate information to large foreign audiences through mass media. The 4th Psychological Operations Group (Airborne) is stationed at Fort Bragg, and two Army Reserve groups are located in Cleveland, OH, and at Moffett Federal Airfield, CA. Finally, Fort Bragg is also home to specialized supporting units and Special Mission Units that support a variety of ARSOF and joint missions. Notable among these is the 1st Special Forces Operational Detachment-Delta, often called Delta Force, which reportedly is based at Fort Bragg.

Air Force Special Operations Forces.¹⁶ The Air Force Special Operations Command (AFSOC) includes about 10,000 active and reserve personnel, of which about 22% are stationed overseas. AFSOC is headquartered at Hurlburt Field, FL, which is also the home of most of AFSOC's active units, including the 16th Special Operations Wing, the 720th Special Tactics Group, the 18th Flight Test Squadron, and the U.S. Air Force Special Operations School. The 352nd Special Operations Group is at RAF Mildenhall, England, and the 353rd Special Operations Group, is at Kadena Air Base, Japan. Reserve AFSOC components include the 193rd Special Operations Wing, Air National Guard stationed at Harrisburg, PA, the 280th Combat Communications Squadron, Air National Guard stationed at Dothan, AL., and the 919th Special Operations Wing, Air Force Reserve stationed at Duke Field, FL. AFSOC's three active-duty flying units are composed of more than 100 fixed and rotary-wing aircraft. The V-22 Osprey tilt-rotor aircraft, a Marine Corps priority, is also being developed for AFSOC. If procured, SOF CV-22s will conduct long-range vertical takeoff and landing infiltration, exfiltration, and resupply missions.

Navy and Marine Corps Special Operations Forces. The Naval Special Warfare Command (NSWC) is located in Coronado, CA, and includes about 4,950 active and almost 1,200 reserve personnel. Navy special warfare forces are organized into SEAL teams, Special Boat Units (SBUs), and SEAL Delivery Vehicle (SDV) teams based on both coasts. SEALs are considered the best-trained combat swimmers in the world, and can be deployed covertly from submarines or from sea-based aircraft. Although Afghanistan is a landlocked country hundreds of miles from shore, SEALs formed a significant portion of the total U.S. SOF presence in Afghanistan.¹⁷

¹⁶ For additional information on Air Force SOF units, see Robert Wall, "Conflict Could Test Special Ops Improvements," *Aviation Week & Space Technology*, October 1, 2001, p. 30.

¹⁷ Sources for information in this section: "Waterborne Commandos," *Armed Forces Journal International*, January 2000, p. 31-33; Scott R. Gourley, "Setting The Seal On Maritime Special Operations Forces," *Jane's Navy International*, June 1999, pp. 18- 23.

About 100 Marines have been formed into a Marine Special Operations Unit and have undergone extensive training over the past six to eight months. This unit will reportedly deploy with Naval Special Warfare Task Unit 1 for six months to conduct operations and also to continue to refine operational roles and procedures and command relationships with other USSOCOM units.¹⁸ Marine Expeditionary Units (MEUs), which contain roughly 2,100 Marines, for many years have received training in specific special operations prior to deploying, in which case they are certified as special-operations-capable (SOC) for the duration of their deployment and are referred to as MEU(SOC).

Issues for Congress

Legislation and 9/11 Commission Recommendations on Paramilitary Operations. Recommendation 32 of the 9/11 Commission report states:

Lead responsibility for directing and executing paramilitary operations, whether clandestine or covert,¹⁹ should shift to the Defense Department. There it should be consolidated with the capabilities for training, direction, and execution of such operations already being developed in the Special Operations Command.²⁰

This recommendation does not call for disbanding the supposedly 150 person-strong CIA Special Activities Division, which reportedly consists largely of both former and retired U.S. SOF personnel.²¹ Instead, USSOCOM would be given the authority for planning, directing, and executing all U.S. paramilitary missions.

The House and Senate versions of the 9/11 Commission's Recommended Intelligence Reforms (H.R. 5024 and S. 2774), Section 164 - Paramilitary Operations states that it is the:

Sense of the Congress that the Secretary of Defense should have the lead responsibility for paramilitary operations, and this responsibility should be assigned to the U.S. Special Operations Command. The Secretary of Defense and the Director of CIA should jointly plan paramilitary operations.

Some analysts suggest that Congress intends to only shift the responsibility for paramilitary operations to USSOCOM while maintaining the current "on the ground" organizational construct for conducting paramilitary operations along traditional lines. This traditional approach - where the CIA primarily conducts clandestine and covert operations and SOF conducts military operations - is considered by some the most effective way to capitalize on each organization's special abilities.

¹⁸ Hearing of the Terrorism Subcommittee of the House Armed Services Committee, Fiscal Year 2005 National Defense Appropriations Act, March 11, 2004, p. 13.

¹⁹ Covert action can be defined as activity meant "to influence political, economic, or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly." The term 'clandestine' refers to the secrecy of an operation itself, 'covert' refers to the secrecy of its sponsor; the action itself may or may not be secret.

²⁰ *The 9/11 Commission Report*, (Washington: GPO, 2004), pp. 415 - 416.

²¹ Bob Woodward, "Secret CIA Units Playing a Central Combat Role," *Washington Post*, November 18, 2001.

Some experts believe that there could be difficulties if SOF are required to increase involvement in covert operations. One issue is the legality of ordering SOF personnel to conduct covert activities that would require them to forfeit their Geneva Convention status to retain deniability.²² In order to operate covertly and with deniability, SOF forces would likely be required to operate without the protection of a military uniform and identification card which affords them combatant status under the Geneva Convention if captured. Another issue is that covert operations can often be contrary to customary international laws or the laws of the country in which the operation is occurring while U.S. military personnel are expected to follow international laws in the conduct of their duties.²³

Section 1013 of H.R. 10, (To provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes) requires the development of joint procedures to improve coordination and deconfliction of DOD and CIA operations. Unlike H.R. 5024 and S. 2774, H.R. 10 does not assign lead responsibility for paramilitary operations to DOD and some analysts suggest that this provision supports maintaining “status quo” concerning paramilitary operations.

SOF Funding Authority. Section 1202 of H.R. 4200, FY2005 Military Appropriations, permits U.S. SOF to directly pay and equip foreign forces or groups supporting the U.S. in combating terrorism. In Afghanistan, SOF did not have the authority to pay and equip local forces and instead had to rely on the CIA to “write checks” for needed arms, ammunition, and supplies. Supporters of this legislation believe that this will provide SOF forces with greater flexibility and agility when trying to raise and maintain irregular forces and also permit them to pay for crucial information.²⁴ Supporters also noted that the CIA had reportedly used its funding authority as “leverage” over U.S. SOF on certain occasions.²⁵ The CIA is reportedly concerned that even though the legislation does not permit the use of these funds by SOF for covert activities, that SOF may in fact compete with and interfere with CIA covert activities.²⁶ At the \$25 million level, this provision might not provide sufficient funds - currently limited to \$25 million dollars per year through 2007 - to collectively fund both USSOCOM and CIA paramilitary activities.

²² Colonel Kathryn Stone, *All Necessary Means - Employing CIA Operatives in a Warfighting Role Alongside Special Operations Forces*, U.S. Army War College Strategy Research Project, July 4, 2003, p. 13.

²³ Ibid.

²⁴ Ann Scott Tyson, “Do Special Forces Need Special Funding,” *Christian Science Monitor*, May 24, 2004.

²⁵ Ibid.

²⁶ Ibid.